



08-05-02

RCE/2700 + \$

PTO/SB/30 (08/00)

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	<b>Application Number</b>	09/217,117
	<b>Filing Date</b>	December 21, 1998
	<b>First Named Inventor</b>	Yasutomo Nishina et al.
	<b>Group Art Unit</b>	2173
	<b>Examiner Name</b>	T. Hailu
	<b>Attorney Docket Number</b>	450100-4033.1

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1.	Submission required under C.F.R. § 1.114.
a.	<input checked="" type="checkbox"/> Previously submitted
i.	<input checked="" type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on <u>June 11, 2002</u> (Any unentered amendment(s) referred to above will be entered)
ii.	<input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on
iii.	<input type="checkbox"/> Other
b.	<input type="checkbox"/> Enclosed
i.	<input type="checkbox"/> Amendment/Reply
ii.	<input type="checkbox"/> Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/> Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/> Other
2.	Miscellaneous
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103© for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(I) required)
b.	<input type="checkbox"/> Other
3.	Fees
	The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a.	<input checked="" type="checkbox"/> Checks in the amount of \$740.00 and \$400.00 are enclosed for the following:
i.	<input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e)
ii.	<input checked="" type="checkbox"/> Extension of time fee (37 C.F.R. § 1.17)
iii.	<input type="checkbox"/> Other
b.	<input checked="" type="checkbox"/> The Director is authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 50-0320.
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	DENNIS M. SMID	Registration No. (Attorney/Agent)	34,930
Signature		Date	August 2, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Charles J. Jackson		
Signature		Date	August 2, 2002
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